THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.23742 of 2006

Dated: 15-11-2006

Between:

P. Prakasa Rao and another.

..... PETITIONERS

AND

The Government of Andhra Pradesh, rep. by its Principal Secretary, Industries and Commerce Department, Hyderabad, and others.

.....RESPONDENTS

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ORDER:

The two petitioners are allegedly sugarcane growers residing in Govardhanagiri Village, Pitchatur Mandal in Chittoor District. The said area allegedly falls within the factory zone area of Sri Venkateswara Cooperative Sugar Factory Limited, Gajulamandyam, respondent No.3 herein. The petitioners also allege that they are members of Managing Committee known as 'Rytu Samanvaya Committee'. They state that with the commencement of sugarcane crushing reason from 01-11-2006 (actual commencement from 15-11-2006), respondent No.3 is required to procure sugarcane from identified ryots without causing inconvenience to them and to ensure smooth crushing activity without hindrance, a sound administration is required. It is their grievance that on the eve of commencement of the crushing season, respondents 1 and 2 transferred Managing Director & Administrative Officer, Chief Accounts Officer and Chief Personnel Officer and this would result in chaos in administration. According to the petitioners, administration without proper personnel at the helms of the affairs would cause hardship and inconvenience to the sugarcane growers. Therefore, they seek a writ of Mandamus declaring the action of respondents 1 and 2 in transferring the officials of respondent No.3 as illegal and arbitrary.

Along with the writ petition, the petitioners filed G.O.Rt.No.719 Industries & Commerce (Sugar) Department dated 08-11-2006 issued by respondent No.1 transferring Managing Director of respondent No.3 to West Godavari Cooperative Sugars Limited. The consequential proceedings bearing Rc.No.12941/2006/B1 dated 09-11-2006 issued by respondent No.2 transferring the Administrative Officer & Chief Personnel Officer working in respondent No.3 to Kovur Cooperative Sugar Factory Limited, Nellore. However, no material is placed before this Court in support of the allegation that they are sugarcane growers and that they are also members of the Managing Committee of 'Ryot Samanvaya Committee'.

In spite of strenuous and vehement submission of the learned counsel for the petitioners, this Court is not able to accept the submission that the petitioners have *locus standi* to challenge the action of respondents 1 and 2 in transferring Managing Director, Administrative Officer and Chief Personnel Officer etc., from respondent No.3.

The submission that vacuum is created bringing the administration of the sugarcane factory standstill also cannot be accepted. By G.O.Rt.No.719 dated 08-11-2006 while transferring Sri B. Guru Prasad, the present Managing Director from respondent No.3 to West Godavari

Cooperative Sugars Limited, the Government ordered transfer of Sri L.V. Ramesh Naidu, the Administrative Officer/Managing Director (FAC), West Godavari Cooperative Sugars Limited and posted him as Administrative Officer/Managing Director (FAC) of respondent No.3 in place of Sri B. Guru Prasad. This would clearly show that the allegation of the petitioners is not sound. Further, it is for respondents 1 and 2, who are enjoined with the duty of managing and administering respondent No.3, to post appropriate officers in appropriate places. Such issues are not justiciable nor such issues have adjudicative disposition.

The writ petition is, therefore, dismissed. No costs.

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V.V.S.RAO, J

15th November, 2006
ghn